

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JOSEPH T. TOY, DORIS CECELIA TOY,)	2:-11-CV-00984-PMP-PAL
Plaintiffs,)	
vs.)	<u>ORDER</u>
CLARK COUNTY, et al.,)	
Defendants.)	

Before the Court for consideration is Plaintiff Joseph Toy's Motion/Application to Proceed *In Forma Pauperis* (Doc. #1), filed on June 15, 2011. On September 27, 2011, the Honorable Peggy A. Leen, United States Magistrate Judge, entered a Report of Findings and Recommendation (Doc. #3) recommending that Plaintiff's Motion/Application to Proceed *In Forma Pauperis* (Doc. #1) should be denied.

On August 22, 2011, Magistrate Judge Leen entered an Order (Doc. #2) requesting Co-Plaintiff, Doris Cecelia Toy to file a separate Application to proceed *In Forma Pauperis*, accompanied by a signed financial certificate. Magistrate Judge Leen, also requested the Clerk of Court to send Plaintiffs a blank application form for *pro se* litigants who are not incarcerated. Plaintiffs were given 30 days from the date of Magistrate Judge Leen's Order to make the necessary arrangements to pay the filing fee of \$350.00, accompanied by a copy of her Order (Doc. #2), and failure

1 to do so would result in a recommendation for the District Judge to dismiss this
2 action. Plaintiffs have failed to comply and the time to do so has now expired.

3 The Court has conducted a de novo review of the record in this case in
4 accordance with 28 U.S.C. § 636(b)(1) and Local Rule IB 3-2(a) and determines that
5 Magistrate Judge Leen's Report of Findings and Recommendation should be
6 Affirmed.

7 **IT IS THEREFORE ORDERED** that Magistrate Judge Leen's Report of
8 Findings and Recommendation (Doc. #3) are Affirmed and the Complaint as to Co-
9 Plaintiff Doris Toy is **DISMISSED**.

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11 DATED: October 11, 2011.

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PHILIP M. PRO
United States District Judge